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**VIA HAND DELIVERY**

The Honorable Gregory M. Sleet  
United States District Court  
for the District of Delaware  
844 King Street  
Wilmington, DE 19801

***Re: City of Tacoma v. WorldGate Communications, Inc.***  
***C.A. No. 05-62-GMS***

Dear Judge Sleet:

We represent the plaintiff, City of Tacoma. The defendant filed a motion to dismiss one count of the three count complaint on February 25, 2005. We are writing to request a scheduling conference with the Court while the motion to dismiss is under advisement so discovery can proceed in this matter. I am advised by defendant's counsel that the defendant opposes our request for a scheduling conference.

Respectfully,

  
Joanne Ceballos

cc: Clerk of the Court (via hand delivery)  
David P. Primack, Esquire (via hand delivery)  
Matthew Frey, Esquire (via facsimile)